

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:15-cr-00002-MR-WCM**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID MICHAEL BOLDSTRIDGE,

Defendant.

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ORDER

THIS MATTER is before the Court upon the Defendant's Second Motion for Early Termination of Supervised Release [Doc. 7].

The Defendant was indicted for possession of child pornography in the United States District Court for the Southern District of Florida on March 6, 2006. He pled guilty and was sentenced on November 21, 2006, to a term of 96 months' imprisonment followed by ten years of supervised release. The Defendant was released from custody on or about November 25, 2013, and his supervision was transferred directly to this District. [Doc. 1]. On January 16, 2019, the Defendant, through counsel, filed a motion for the early termination of his supervised release. [Doc. 5]. On February 7, 2019, the Court denied without prejudice the Defendant's motion. [Doc. 6]. The

Defendant, through counsel, now moves again for the early termination of his supervised release. [Doc. 7].

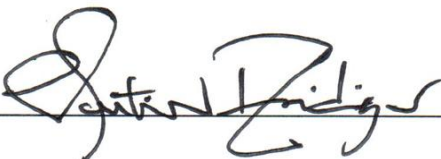
In order to terminate a defendant's term of supervised release, the Court must be "satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. § 3583(e)(1). Generally, the Court will consider terminating a term of supervised release where the defendant has exhibited exemplary behavior and has served at least two-thirds of the imposed term. Here, the Defendant has only recently crossed the threshold of having served two-thirds of his ten-year term of supervised release, which is the minimum for consideration of early termination. However, a ten-year term of supervised release is unusually short in light of the nature of the Defendant's conviction. Notwithstanding Defendant's level of compliance while on supervision, the probation office does not join in the Defendant's request. As such, while the Defendant's compliance with the terms and conditions of supervised release is commendable, the Court is not satisfied that termination is warranted under the circumstances at this time. Accordingly, the Court declines to exercise its discretion to terminate the Defendant's term of supervised release.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Defendant's Second Motion for Early Termination of Supervised Release [Doc. 7] is **DENIED** without prejudice. The Defendant's term of supervised release shall continue as originally sentenced.

The Clerk is directed to serve a copy of this Order on counsel for the Defendant, counsel for the Government, and the United States Probation Office.

IT IS SO ORDERED.

Signed: January 14, 2021



Martin Reidinger
Chief United States District Judge

